



MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL AND THE COUNCIL SITTING AS THE REDEVELOPMENT AGENCY BOARD

**Council Chamber in City Hall
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

WEDNESDAY, NOVEMBER 9, 2005

The Regular meeting of the City Council, also sitting as the Redevelopment Agency Board was called to order by Mayor DeRosa in the Council Chambers on November 9, 2005 at 3:00 p.m.

ROLL CALL:

Present: Council Members/RDA Board Members England, Marchand, Vasquez,
Mayor Pro Tem/RDA Vice Chairman Pettis, Mayor/Chairman DeRosa

Absent: None

Mayor DeRosa opened public comments for anyone who wanted to speak on any Closed Session item. There were no requests to speak.

The regular meeting began at 6:30 p.m. and was opened by Mayor DeRosa.

Mayor DeRosa asked that we keep the passing of Rosa Parks in our minds this evening.

Pastor Keith Newsome from the Northgate Community Church gave the invocation.

Cathedral City High School Junior Air Force ROTC did the Presentation of Colors and Mayor DeRosa led the Pledge of Allegiance.

CLOSED SESSION AGENDA:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Warren Bradshaw**)
Property Location: North of Vista Chino, south of Southern Pacific Rail Road
APN#s 660-350-002 and 010 and 660-360-004, 005,
006 and 015

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Negotiating Parties: Cathedral City Redevelopment Agency and
International Business Properties
Property Owner: Toby Lawrence and International Business Properties
Under Negotiation: Property Acquisition.

2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Charlene Sumpter**)
Property Location: Parcels just north of A & B Street, west of Van Fleet, East of Cathedral Canyon, south of East Palm Canyon Drive otherwise known as Phase II
Negotiating Parties: Cathedral City Redevelopment Agency and Tri-Millennium Cathedral City LLC
Property Owner: Cathedral City Redevelopment Agency
Under Negotiation: Property Disposition/Lease Negotiations
3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Charlene Sumpter**)
Property Location: Parcels East of Cathedral Canyon Drive, North of East Palm Canyon Drive, south of Lalo Guerrero and west of George Montgomery.
Negotiating Parties: Cathedral City Redevelopment Agency and Tri-Millennium Cathedral City LLC
Property Owner: Cathedral City Redevelopment Agency
Under Negotiation: Property Disposition
- 4.. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Jan Davison**)
Property Location: South of East Palm Canyon Drive, West of the Perez Road extension, East of Canyon Plaza
APN#s 687-030-010 and 074
Negotiating Parties: Redevelopment Agency and Desert Hills Mobile Home Park, Inc.
Property Owner: Redevelopment Agency and O'Brien
Under Negotiation: Property Negotiations
5. CONFERENCE WITH LEGAL COUNSEL- POTENTIAL LITIGATION pursuant to Government Code Section 54956.9, Subd. (b)
Number of Potential Cases: 3
6. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6
Agency Negotiator: Donald Bradley, City Manager
Represented Employees: 1) Cathedral City Police Officers Association Association (CCPOA); 2) American Federation of State, County and Municipal Employees. (AFSCME) 3) Cathedral City Fire Management Association (CCFMA)

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CLOSED SESSION ANNOUNCEMENTS

Assistant City Attorney Berkey advised there were no closed session announcements.

PUBLIC COMMENTS

Public Comments were opened and closed without comment.

AGENDA FINALIZATION

Mayor DeRosa advised that item #15 is a Public Hearing and not a Legislative Item.

PRESENTATIONS & PROCLAMATIONS

The Police Department's new K-9, 18-month-old German shepherd, Ricky, was introduced to the City Council, the public and the gracious donor, Edith Howard by Police Chief Henry. The handler is Officer Dewayne Hodge.

Certificates of Appreciation were presented by Mayor DeRosa to employees Gloria Cohen and Jim Cleary. A certificate was also presented to Lynn Mallotto this afternoon.

Mayor DeRosa also advised that she would be presenting a Proclamation to Marilyn Tennity, the 2005 Good Samaritan of the Year.

COUNCIL COMMENTS

Council Member Marchand was happy to announce there were no cases of West Nile Virus that originated in our Coachella Valley Mosquito & Vector Control District, and there was only one "imported" (brought into the valley) case. He attended the Riverside County Transportation Commission meeting this morning and advised that the we are not getting the attention in the east valley, with regard to funds, as is the west valley. There are several ideas with regard to the Mid-Valley Parkway.

Council Member England advised that there had been a joint meeting with the City Council and the Parks and Recreation Commission to discuss Dr. Kelsey's report, development of new parts, a pool, acquisition of land, and other ideas. He looks to move quickly in developing some of our park land.

Council Member Vasquez thanks both employees honored this evening for the work they do. He also congratulated our Police for having the lowest crime rate in the Valley. He said we do the most, with the best, for the least amount of money. He advised that they have established a Neighborhood Watch at Heritage Park. He would like to adjourn in memory tonight for Firefighter Ed Teran, a 43 year old fatality in a recent Riverside fire.

Mayor DeRosa said she serves on the Alzheimer's Board and the organization will have a memory walk in February, 2006 and they needed volunteers to walk and for leader training.

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Council Member England reminded everyone that the CCHS band will be going to Chicago and participating in the Thanksgiving Parade, you may watch on L.A. Channel 2.

Council Member Marchand advise that there was talk in some circles that there might be an elimination of the Federal Income Tax deduction for Home Mortgage Interest. If you object to this it may behoove you to contact your legislators, Mary Bono, Diane Feinstein and Barbara Boxer.

MINUTES

The minutes of the regularly scheduled City Council/RDA Board meeting held on Wednesday October 26, 2005 were approved with one correction – spelling of the word **ecosystem**.

CONSENT AGENDA

Council Member Marchand moved approval of the Consent Agenda, motion seconded by Council Member England, motion carried **5-0 with two exceptions: Mayor Pro Tem Pettis Voted no on Item 1, and Mayor DeRosa voted no on Item 5.**

1. Adopted proposed ordinance of the City Council for the City of Cathedral City, amending the official zone map from commercial, tourist and recreation (CTR) to multiple family residential (R-2) on 12.04 acres located south of East Palm Canyon Drive, west of the West Cathedral Canyon Wash, and north and east of the Santa Rosa Mountains (Being a portion of Assessor's Parcel Number: 687-040-047) **by Ordinance No. 610.**
2. Adopted proposed ordinance of the City Council for the City of Cathedral City, adopting new regulations pertaining to peddlers by repealing Chapter 11.68 "Charitable Solicitations", amending Chapter 3.28 "Business Licenses", amending and retitling Chapter 5.48 "Street Vendors" and adopting new regulations pertaining to aggressive solicitations by amending Chapter 11.08 "Disorderly Conduct" **by Ordinance No. 611.**
3. Approved conservation easements on lands owned by the City to meet the off-site mitigation requirements of the Desert Cove Golf Resort project **by Minute Order # 3994.**
4. Approved resolution extending the period during which the Redevelopment Agency may retain, for up to ten years, certain properties purchased with affordable housing set-aside funds **by Resolution No. 2005-85.**
5. Authorized staff to execute a service provider agreement with James R. Peters construction management and inspection to provide construction inspection services for the SCE Rule 20A, Phase I, and utility undergrounding project **by Minute Order # 3995.**

6. Adopted resolution of the City Council for the City of Cathedral City, approving application for grant funds for the Roberti-Z'Berg-Harris Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks and coastal protection Bond Act of 2002 **by Resolution No. 2005-86**
7. Adopted resolution of the City Council for the City of Cathedral City, approving application for grant funds for the Per Capita Program under the California Clean Water, Clean Air, Safe Neighborhood Parks and coastal protection Bond Act of 2002 **by Resolution No. 2005-87.**
8. Approved Tract Map No. 32557: Approved the final subdivision map for Palm Springs Classic: Lennar Homes of California, Inc. **by Minute Order # 3996**
9. Approved Tract Map No. 32558: Approval of final subdivision map and subdivision agreement for Palm Springs Classic: Lennar Homes of California, Inc **by Minute Order # 3997.**
10. Adopted resolutions, accepting a portion of an Offer of Dedication for public street purposes on Lot "A" of Palm Springs Country Club Estates for the expansion of San Joaquin Drive into Tract No. 32558, and for the Summary Vacation of an excess portion of the same Offer of Dedication and approval by the Agency to grant public street easements to the City of Cathedral City over portions of Agency-owned lots as follows:

1) **Adopted Resolution No. 2005-88** accepting the offer of dedication for public street purposes of a portion of lot "A", as shown on the map of Palm Springs Country Club Estates. (San Joaquin Drive) 2) **Adopt Resolution No. 2005-89,** ordering the summary vacation of a portion of an unaccepted offer of dedication for public street purposes on lot "A" of Palm Springs Country Club Estates, within the northwest quarter of section 17, township 4 south, range 5 east, San Bernardino Meridian. (Vacation 2005-06)
11. Approved Tentative Parcel Map No. 33990: a proposal to subdivide an 18,651 square foot lot into 2 lots located east of the terminus of Valley Vista Drive at Bel Air Drive in the Cathedral City Cove **by Minute Order # 3998/**
12. Approved Redevelopment Agency resolution, objecting to the sale of certain tax-defaulted properties and offering to purchase said properties **by Resolution No. R-426** objecting to public sale of certain tax defaulted properties lying within the city of Cathedral City and its designated survey area, offering to purchase the properties and stating the public purpose for which the properties are to be devoted.
13. Authorization to renew contract with Traffic Safety Engineers, Inc. for Consulting Traffic Engineer duties **by Minute Order # 3999.**

PUBLIC HEARING

15. Receive recommendations from the Cathedral City Planning Commission with respect to General Plan Amendment No. 04-001, Change of Zone No. 04-001, Design Review No. 04-020, and Development Agreement No. 05-001. (Bud Kopp)

There was a report by Rich Malacoff of the Planning Department. He gave the basic reasons why the staff believes this requests should be denied. He also advised that there were letters both for and against that had been received and are in the agenda book. The applicant is in the audience this evening. Mr. Malacoff answered several question from the Council.

Developer Jeff Stein – Phoenix, Arizona. Mr. Stein gave a report on this project and why he felt the project should be approved. He explained about his funding and his offer to pay the city a sum of money to offset any sales tax revenue, he answered many questions from the City Council. He advised that he would build high end, upscale apartments, with a 2500 foot clubhouse. Also a recreational building of 2000 square feet. The Council heard from the Architect for this project. This would be a gated community, consisting of 144 apartments Consisting of 1, 2, and 3 bedrooms. There would be management on site, with a minimum of two employees 24/7. Both Mr. Stein and the architect answered many question for the Council.

Mayor DeRosa opened the floor to Public Comments.

Elsie Beal – Cathedral City. Ms. Beal attended the Planning Commission where this item was rejected. She is against the project, and did not anticipate this “problem” when she moved to the clean and safe community.

Debby Garmon – Cathedral City. Ms. Garmon is a teacher, and she took special concern when she bought her property that it was not zoned for apartments. She is against this project. She also has concerns about the overcrowding of Rio Vista School.

Jay Thomson – Cathedral City. Mr. Thomson is also against this project as he has concerns about traffic. He bought his home on a street where a six year old child was killed in a traffic accident.

Phil Parsons – 25 year resident of the Rio Vista neighborhood. He sees the property as “light commercial”, perhaps a coffee shop or small restaurant. He wants to see something less dense, in development. Traffic is main concern. He wants council to consider something with less density.

Mary Ann Parsons – Cathedral City. Asked, respectfully, that the Council decline this project. She walks every morning, she feels it will impossible to drive.

Debbie Garvin – Cathedral City. Ms. Garvin feels that there will be a devaluation of homes in the area, noise pollution, traffic, by all the residents. She asked that everyone in the audience who was against this project to please stand. Thirteen

people stood in response. This area has single family homes and this project is too dense for the neighborhood.

Hearing no one else wishing to speak, Mayor DeRosa closed Public Comments and asked that the City Clerk to note in the record that we do have at least 55 signatures, if not more, from residents opposing this project from various neighborhoods.

Mayor Pro Tem Pettis moved to continue this Public Hearing until the first meeting in December, directing staff to bring back a clear set of possible conditions, construction traffic restrictions, cost of public services, an analysis of the loss of sales tax revenue compared to a revenue stream generation from the developer, public art fee applicability, inclusionary housing, and other items before taking any action on this request, motion seconded by Council Member Marchand, motion carried 5-0 **by Minute Order No. 4000.**

Prior to voting on this subject, Mayor Pro Tem spoke in favor of this motion and gave insight to his reasoning for this postponement.

LEGISLATIVE ACTION(S)

- 14.** Adoption of resolution of the City Council for the City of Cathedral City, honoring the memory and achievements of Rosa Parks

Council Member Marchand gave a tribute to Rosa Parks as he introduced the a resolution paying tribute to the memory and achievement of Rosa Parks.

Mayor DeRosa opened the floor to Public Comments.

Woodie Rucker-Hughes – President, Riverside Branch – NAACP.

Ms. Rucker-Hughes gave a moving tribute to Rosa Parks, whose decision to 'sit down to stand up for Blacks' equal rights helped spur the civil rights movement. Rucker-Hughes, was a friend of Parks, and was invited to the Council meeting because this resolution paying tribute to the memory and achievements of Parks was on the agenda.

Council Member Marchand move adoption of the Resolution, motion seconded by Council Member Vasquez, motion carried 5-0 **by Resolution No. 2005-90.** Council also set aside **Dec. 1, 2005, as a day to remember Rosa Parks** in Cathedral City. This date will mark the 50th anniversary of Parks' courage to refuse to give up her seat in the front of a Montgomery, Alabama, bus to a White man.

- 16.** Approval of authorization to purchase traffic enforcement vehicles and equipment.

There was a report giving background on this equipment and its usage by Police Chief

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Henry. Mayor DeRosa went over the Grant Application funds. Chief Henry advised that this would allow for four officers on bikes plus one supervisor.

Public comments were opened and closed without comment.

Council Member Marchand moved approval, motion seconded by Council Member England, motion carried 5-0 **by Minute Order # 4001.**

17. Approval of authorization to lease-purchase American-La France Quiller 100 foot truck and equipment.

There was a report given by Chief Sowles with regard to how long it will take to get this fire truck built, about staffing, and reasons for needing this vehicle.

Mayor DeRosa opened Public Comments.

Walt McLaughlin – Cathedral City. Asked how many additional personnel the truck would require? Chief Sowles answered 12. Mr. McLaughlin then asked if we had a facility capable of housing this vehicle. Chief Sowles answered yes.

Mayor DeRosa closed Public Comments.

Mayor Pro Tem Pettis moved approval , motion seconded by Council Member England, motion carried 5-0 **by Minute Order # 4002.**

18. Authorization for staff to execute amendment No. 1 to the service provider agreement with Psomas, Inc to provide additional Engineering Services for the Cove Improvement District, AD 2004-02.

There was a brief report by City Engineer Bill Bayne.

Public Comments were opened and closed without comment.

Council Member Marchand moved approval, not to exceed \$171,000, motion Seconded by Council Member England, motion carried 5-0 **by Minute Order # 4003.**

19. Authorization for staff to execute Amendment No. 2 to the professional services agreement with HRD Engineering Inc. to provide aerial mapping, materials testing and pavement design for the Edom Hill Road and Varner Road repair and reconstruction project.

There was a brief report by City Engineer Bill Bayne.

Public Comments were opened and closed without comment.

Council Member Marchand moved approval, motion seconded by Council

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Member Vasquez, motion carried 5-0 **by Minute Order # 4004.**

COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS.

Mayor Pro Tem Pettis – Just a reminder to Council and anyone else interested on November 16th from 9:30 – 11:30 here in Council Chambers, Mark Pisano, Executive Director of SCAG's "Compass 2% Strategy Project" will talk about funding and services that are available to Coachella Valley cities for their "smart growth" plans and designs as they grapple with spiraling development pressure. For more information and to RSVP please call CVAG at 346-1127 and speak with Catherine McMillan.

ADJOURNMENT

The meeting was adjourned at 9:27 p.m. in memory of Rosa Parks and Fire Fighter Ed Teran from Riverside.

Pat Hammers, CMC
City Clerk